

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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<b>TRANSMITTAL FORM</b>	Application Number	09/718,295	
	Filing Date	November 21, 2000	
	First Named Inventor	Rui Mei, et al.	
	Art Unit	1631	
	Examiner Name	Marianne P. Allen	
(to be used for all correspondence after initial filing)		Attorney Docket Number	3359
Total Number of Pages in This Submission		8	

ENCLOSURES (check all that apply)		
<input checked="" type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Response (4 pgs.) <input checked="" type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input checked="" type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Parts/ Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.62 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input type="checkbox"/> Other Enclosure(s) (please identify below):
Remarks		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT		
Firm	Affymetrix, Inc.	
Signature	<i>Leticia R. Block</i>	
Printed Name	Leticia R. Block Reg. 50,167	
Date	November 11, 2004	Reg. No. 50,167

CERTIFICATE OF TRANSMISSION/MAILING		
I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.		
Signature	<i>Pamela Leong</i>	Date
Typed or printed name	Pamela Leong	Date
November 11, 2004		

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Approved for use through 12/31/2004. See 37 CFR 1.101.  
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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# FEE TRANSMITTAL for FY 2005

Effective 10/01/2004. Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$) 1770

## Complete if Known

Application Number 09/710,295  
Filing Date November 21, 2000  
First Named Inventor Mei, et al.  
Examiner Name Marianne P. Allan  
Art Unit 1631  
Attorney Docket No. 3359

## METHOD OF PAYMENT (check all that apply)

☐ Check ☐ Credit card ☐ Money Order ☐ Other ☐ None

☒ Deposit Account:

Deposit Account Number 01-0431

Deposit Account Name Affymetrix, Inc.

The Director is authorized to: (check all that apply)

☒ Charge fee(s) indicated below  
☒ Charge any additional fee(s) or any underpayment of fee(s)  
☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

## FEE CALCULATION

### 1. BASIC FILING FEE

Large Entity	Small Entity	Fee Code	Fee (\$)	Fee Description	Fee Paid
		1001	790	Utility filing fee	790
		1002	350	Design filing fee	
		1003	550	Plant filing fee	
		1004	790	Reissue filing fee	
		1005	160	Provisional filing fee	

SUBTOTAL (1)

(\$ 790)

### 2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Total Claims	Extra Claims	Fee from below	Fee Paid
-20 **	0	16	0
Independent Claims	-3 **	88	0
Multiple Dependent			0

Large Entity	Small Entity	Fee Code	Fee (\$)	Fee Description	Fee Paid
		1202	18	Claims in excess of 20	
		1201	88	Independent claims in excess of 3	
		1203	300	Multiple dependent claim, if not paid	
		1204	68	** Reissue independent claims over original patent	
		1205	18	** Reissue claims in excess of 20 and over original patent	

SUBTOTAL (2)

(\$ 0)

\*\*for number previously paid, if greater, For Reissues, see above

## 3. ADDITIONAL FEES

Large Entity	Small Entity	Fee Code	Fee (\$)	Fee Description	Fee Paid
1051	130	2051	65	Surcharge - late filing fee or oath	
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet	
1063	130	1053	130	Non-English specification	
1812	2,520	1812	2,520	For filing a request for ex parte reexamination	
1904	620	1904	620	Requesting publication of SIR prior to Examiner action	
1905	1,840	1905	1,840	Requesting publication of SIR after Examiner action	
1251	110	2251	55	Extension for reply within first month	
1252	430	2252	215	Extension for reply within second month	
1253	980	2253	490	Extension for reply within third month	980
1254	1,530	2254	765	Extension for reply within fourth month	
1255	2,080	2255	1,040	Extension for reply within fifth month	
1401	340	2401	170	Notice of Appeal	
1402	340	2402	170	Filing a brief in support of an appeal	
1403	300	2403	150	Request for oral hearing	
1451	1,510	1451	1,510	Petition to institute a public use proceeding	
1452	110	2452	55	Petition to revive - unavoidable	
1453	1,370	2453	685	Petition to revive - unintentional	
1501	1,370	2501	685	Utility issue fee (or reissue)	
1502	490	2502	245	Design issue fee	
1503	660	2503	330	Plant issue fee	
1450	130	1400	130	Petitions to the Commissioner	
1907	50	1807	50	Processing fee under 37 CFR 1.17 (a)	
1806	180	1806	180	Submission of Information Disclosure Sheet	
8021	40	8021	40	Recording each patent assignment per property (times number of properties)	
1809	700	2809	395	Filing a submission after final rejection (37 CFR § 1.129(a))	
1810	790	2810	395	For each additional invention to be examined (37 CFR § 1.129(b))	
1801	790	2901	395	Request for Continued Examination (RCE)	
1802	900	1802	900	Request for expedited examination or a design application	

Other fee (specify) \_\_\_\_\_

\*Reduced by Basic Filing Fee Paid

SUBTOTAL (3)

(\$ 930)

SUBMITTED BY		Complete (if applicable)	
Name (Print/Type)	Leticia R. Block	Registration No. (Attorney/Agent)	50,167
Signature	Leticia R. Block	Telephone	408-731-5030
		Date	November 11, 2004

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Approved for use through 07/31/2006. OMB 0651-0032  
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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# FEE TRANSMITTAL for FY 2005

Effective 10/01/2004. Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$) 1770

Complete if Known

Application Number 08/718,295  
Filing Date November 21, 2000  
First Named Inventor Mei, et al.  
Examiner Name Marlene P. Allen  
Art Unit 1631  
Attorney Docket No. 3359

## METHOD OF PAYMENT (check all that apply)

☐ Check ☐ Credit card ☐ Money Order ☐ Other ☐ None

☒ Deposit Account:

Deposit Account Number 01-0431

Deposit Account Name Affymetrix, Inc.

The Director is authorized to: (check all that apply)  
☒ Charge fee(s) indicated below ☒ Credit any overpayments  
☒ Charge any additional fee(s) or any underpayment of fee(s)  
☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

## FEE CALCULATION

### 1. BASIC FILING FEE

Large Entity	Fee Code	Fee (\$)	Small Entity	Fee Code	Fee (\$)	Fee Description	Fee Paid
1001	760	2001	395			Utility filing fee	790
1002	350	2002	175			Design filing fee	
1003	550	2003	275			Plant filing fee	
1004	700	2004	395			Reissue filing fee	
1005	160	2005	80			Provisional filing fee	
SUBTOTAL (1)							(\$ 790)

### 2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Total Claims	Extra Claims	Fees from below	Fee Paid
20	0	18	0
3	0	88	0
			0

Large Entity			Small Entity			Fee Description
Fee Code	Fee (\$)		Fee Code	Fee (\$)		
1202	18		2202	9	Claims in excess of 20	
1201	88		2201	44	Independent claims in excess of 3	
1203	300		2203	150	Multiple dependent claim, if not paid	
1204	88		2204	44	Reissue independent claims over original patent	
1205	18		2205	9	Reissue claims in excess of 20 and over original patent	
SUBTOTAL (2)						(\$ 0)

\*\*or number previously paid, if greater. For Reissue, see above

## 3. ADDITIONAL FEES

Large Entity	Fee Code	Fee (\$)	Small Entity	Fee Code	Fee (\$)	Fee Description	Fee Paid
1051	130	2051	65			Surcharge - late filing fee or oath	
1052	50	2052	25			Surcharge - late provisional filing fee or cover sheet	
1053	130	1053	130			Non-English specification	
1812	2,520	1812	2,520			For filing a request for ex parte reexamination	
1804	920*	1804	920*			Requesting publication of SIR prior to Examiner action	
1805	1,940*	1805	1,940*			Requesting publication of SIR after Examiner action	
1251	110	2251	55			Extension for reply within first month	
1252	430	2252	215			Extension for reply within second month	
1253	980	2253	490			Extension for reply within third month	
1254	1,530	2254	765			Extension for reply within fourth month	980
1255	2,080	2255	1,040			Extension for reply within fifth month	
1401	340	2401	170			Notice of Appeal	
1402	340	2402	170			Filing a brief in support of an appeal	
1403	300	2403	150			Request for oral hearing	
1451	1,510	1451	1,510			Petition to Institute a public use proceeding	
1452	110	2452	55			Petition to revive - unavoidable	
1453	1,370	2453	685			Petition to revive - unintentional	
1501	1,370	2501	685			Utility issue fee (or reissue)	
1502	490	2502	245			Design issue fee	
1503	660	2503	330			Plant issue fee	
1460	130	1460	130			Petitions to the Commissioner	
1807	50	1807	50			Processing fee under 37 CFR 1.17 (c)	
1806	180	1806	180			Submission of Information Disclosure Sheet	
8021	40	8021	40			Recording each patent assignment per property (times number of properties)	
1808	790	2808	395			Filing a submission after final rejection (37 CFR § 1.120(a))	
1810	790	2810	395			For each additional invention to be examined (37 CFR § 1.125(b))	
1801	790	2801	395			Request for Continued Examination (RCE)	
1802	900	1802	900			Request for expedited examination of a design application	

Other fee (specify) \_\_\_\_\_

\*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$ 980)

## SUBMITTED BY

Name (Print/Type) Letitia R. Block Registration No. (Attorney/Agent) 50,167 Telephone 408-731-5000  
Signature *Letitia R. Block* Date November 11, 2004

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Serial No: 09/718,295

**PATENT**  
Attorney Docket No. 3359

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicants: Rui Mei et al.

Examiner: Marianne P. Allen

Serial No: 09/718,295

Group Art Unit: 1631

Filing Date: November 21, 2000

Title: **Methods and Computer Software  
Products for Selecting Nucleic  
Acid Probes**

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Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**RESPONSE AFTER FINAL**

Sir:

In reply to the Office Action mailed 5/12/2004, Applicants respectfully request reconsideration of the pending rejections and reexamination of the present application in view of the following amendments and remarks.

Applicants respectfully petition for a 3-month extension of time within which to respond to the Office Action.

Remarks/Arguments begin on page 2 of this paper.